GOVRNMENT OF ANDHRA PEADESH
ABSTRACT

Public Services– LFB & IMS - Allegation of Corruption against Sri Y.Narsimhulu @ Narasimha Murthy, Junior Assistant, O/o ALO, Hindupur, Anantapur District – Trapped by ACB on 21.01.2014- Departmental proceedings initiated - Articles of Charge framed –Charges held not proved- Further action dropped-Regularization of suspension period as on duty - Orders- Issued.

LABOUR, FACTORIES, BOILERS & IMS (IMS& VIG) DEPARTMENT

G.O.RT.No. 485 Dated: 12-08-2020

Read the following:-

1. Procgs.of the Joint Commissioner of Labour, Kurnool,No.A/135/ 2014, Dt.25.01.2014.
2. From the Director General, Anti Corruption Bureau,A.P.,Lr.Rc. No.17/ RCT- ATP/2014, dated:23.09.2014.
3. G.O.Ms.No. 26, LET&F (Vig) Dept., dated 11.12.2014
4. G.O.Rt.No.370, LET&F (IMS & Vig)Dept., Dated:19.06.2015
5. Judgement Dt.12.08.2016 of the Spl.Judge for ACB Trap cases, Kurnool in C.C.No.01/2015
6. From the DG,ACB, A.P.,Lr.Rc.No.17/RCT-ATP/2014,dt:20.09.2016
7. G.O.Ms.No.21, LET&F (Vig) Dept., dated:05.12.2017.
8. Representation of Sri Y.Narsimhulu, Junior Assistant, O/o ALO, Hindupur, Anantapur District

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ORDER:

Whereas it was brought to the notice of the Government that Sri Y.Narsimhulu @ Narasimha Murthy, Junior Assistant, O/o ALO, Hindupur, Anantapur District, was Trapped by ACB on 21.01.2014 for allegedly demanding and accepting bribe amount of Rs.3,000/- as illegal gratification for doing official favour and subsequently he was placed under suspension by the Joint Commissioner Labour, Kurnool, from 21.01.2014, in the reference 1st cited.

2. Whereas the in the reference 2nd read above, the Director General, Anti Corruption Bureau, A.P, in his final report, Dt.23.09.2014 has recommended for prosecution against Sri Y.Narasimhulu Junior Assistant, O/o Assistant Labour Office, Circle-I,Hindupur, Anantapur District. Accordingly,Govt. have sanctioned prosecution against the Accused Officer, vide reference 3rd read above.

3. Whereas, Government on review of suspension cases have decided to revoke the suspension of Sri Y.Narasimhulu Junior Assistant, O/o Assistant

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Labour Office, Circle-I, Hindupur, Anantapur District and to reinstate him into service without prejudice to criminal & disciplinary cases pending against him and to post him to a far off non focal posts in the reference 4th read above. In pursuance of the above orders, the Accused Officer has been re-instated into service.

4. Whereas, in the reference 5th cited, the Special Judge for trail of ACB Cases in Rayalaseema region at Kurnool, has pronounced the judgment on 12.08.2016 in C.C.No.1/2015, acquitting the A.O., i.e., Sri Y.Narasimhulu Junior Assistant, O/o Assistant Labour Office, Circle-I, Hindupur, Anantapur District, The extract of Judgment, is as follows;

> *"Therefore, presumption under section 20 of Prevention of Corruption Act, cannot be drawn that accused was in possession of Bribe amount. On the other hand, the accused explained that how he came into possession of the amount in the evidence of PW-I that when accused informed to PW-I that D.D., of PWIV was not available with him PW-I forcible thrust the amount in shirt pocket an accused Officer by saying Hyderavali asked him to give it to accused for which accused Officer refused to take amount. Hence, the prosecution failed to prove its case beyond reasonable doubt. In the result, the accused Officer is found not guilty for the offences punishable under section 7, 13(2) read with 13(1)(d) of Prevention of Corruption Act and he is acquitted under section 248(1) Cr.P.C., bail bonds of the accused Officer shall be in force in terms of section 437-A and Cr.P.C., and sureties shall be discharged."*

> *"In the result the accused officer is found not quality for the offences publishable U/S.7, 13(2)(d) of prevention of Corruption Act and he is acquitted U/S.248(1) Cr.P.C., Ball bonds of the accused officer shall be In force in terms of Sec. 437-A of Cr.P.C., and sureties shall be discharged. M.O.3-cash of Rs.3,000/- shall be confiscated to the state and to destroy other material objects i.e., M.Os.1 & 2 and 4 to 8 after appeal time is over."*

5. Whereas, in the reference 6th cited, the Director General, Anti Corruption Bureau, while enclosing the copy of the Judgment, has stated that the Bureau is of opined that there are no grounds to prefer an appeal against the acquittal judgment of the trail court and requested to communicate a copy of Government orders in the matter.

6. Whereas the Government, in the reference 7th cited, while accepting the recommendations of DG, Anti Corruption Bureau, in consultations with the line Departments have dropped further action against Sri Y.Narasimhulu, Junior Assistant, in this case.

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7. Whereas, in the reference 8th cited, Sri Y.Narasimhulu, Junior Assistant, O/o ALO, Penukonda, has submitted representation to regularise the Suspension period from 21.01.2014 to 30.06.2015 as duty period, as Govt., have dropped the further action against him vide reference 7th cited.

8. Whereas, Government after examining the matter have decided to regularize the suspension period w.e.f 21.01.2014 to 30.06.2015. Accordingly hereby order to regularize the suspension period from 21.01.2014 to 30.06.2015 "On Duty" under FR 54-B (5) read with (7) in respect of Sri Y.Narasimhulu @ Narsimha Murthy, Junior Assistant, O/o ALO, Penukonda, Anantapur District as he was acquitted from the Criminal Case No.01/2015 U/s 248(1) Cr.P.C by the Hon'ble Court of the Special Judge for Trail of SPE & ACB Cases, Kurnool and the further action has been dropped by the Government.

9. The Special Commissioner of Labour, A.P., Vijayawada, shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.UDAYALAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Commissioner of Labour, A.P., Vijayawada
Sri Y.Narasimhulu@ Narsimha Murthy, Jr.Assistant,O/o ALO, Penukonda, Anantapur District through the Spl. Commissioner of Labour, A.P., Vijayawada.

Copy to:

The Director General, Anti Corruption Bureau, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.
The Accountant General, A.P., Vijayawada.
The Director of Treasuries and Accounts, A.P.,Vijayawada.
The PS to Hon'ble Minister (LFB &IMS)
The PS to Prl. Secretary to Govt.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER